

ORIGINAL

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FILED  
LOS ANGELES SUPERIOR COURT  
AUG 31 2007  
JOHN A. WATKINS, CLERK  
*[Signature]*

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF LOS ANGELES  
13

11 In re the Marriage of ) CASE NO. BD 455662  
12 Petitioner: BRITNEY SPEARS ) [Assigned to Dept. 88,  
13 and ) Commr. Scott Gordon]  
14 Respondent: KEVIN FEDERLINE )  
15 ) REPLY MEMORANDUM OF POINTS AND  
16 ) AUTHORITIES IN SUPPORT OF JOINT APPLICATION  
17 ) TO SEAL SECOND FURTHER JUDGMENT;  
DECLARATION OF MICHAEL BROURMAN  
18 )  
19 ) DATE: 9/14/07  
20 ) TIME: 8:30 a.m.  
21 ) DEPT: 88

22 I.

23 INTRODUCTION

24 In their opposition to the parties' joint application to seal the Second Further Judgment  
25 in this proceeding<sup>1</sup>, intervenors *People Magazine* and *Access Hollywood* (hereinafter jointly  
26 "Intervenors") have sought to cast that application as one designed to protect the privacy of  
27 Petitioner. Indeed, we submit that it is no accident that throughout that opposition they  
28 consistently refer to her as "Ms. Spears" rather than as Petitioner, and just as consistently refer  
to the rights which the application seeks to protect as "Ms. Spears" rights.

However, it is not the protection of Petitioner which is the subject of this joint  
application, but the protection of two young children, age 23 months and 11 months. It is only

<sup>1</sup>Although that application was filed by Petitioner, it has been joined in by Respondent.

1 because those two young children are unable to speak for themselves that the parties brought  
2 this application on their behalf, and it is the rights of those two young children which this  
3 application requests that the Court protect.

4 The one -- and only -- pleading to which this joint application is directed is the Second  
5 Further Judgment herein, which deals solely with the issues of child custody and support. As  
6 we shall convincingly demonstrate below, there simply can be no doubt that this Court has the  
7 authority to -- and should -- seal that solitary pleading, based on California's long legal history  
8 of protecting the rights, including the privacy rights, and the best interests of minors.

9 II.

10 ARGUMENT

11 A. California Has a Long and Consistent History of Treating Custody-  
12 Related Proceedings as Confidential. That Fundamental Fact  
13 Makes Intervenors' Reliance Upon *NBC Subsidiary* And The Other  
14 Cases Cited In Their Brief Unavailing.

15 Certain legal proceedings in this State, including many of those which involve the  
16 custody of minor children, are confidential as a matter of law. Such proceedings include  
17 paternity proceedings [Family Code §7643 ("Notwithstanding any other law concerning public  
18 hearings and records, a hearing or trial held under this part may be held in closed court without  
19 admittance of any personal other than those necessary to the action or proceeding...(and) all  
20 papers and records...pertaining to the action or proceeding...are subject to inspection only in  
21 exceptional cases upon an order to the court for good cause shown.")]; juvenile proceedings  
22 [Welfare & Institutions Code §§204, 827 (Limiting access to files to persons who are actively  
23 participating in the proceedings.")]; adoption proceedings [Family Code §8611 ("All court  
24 hearings in an adoption proceeding shall be held in private, and the court shall exclude all  
25 persons except the officers of the court, the parties, their witnesses, counsel, and  
26 representatives of the agencies present to perform their official duties under the law governing  
27 adoptions.")]; proceedings evaluating granting custody to a non-parent [Family Code §3041  
28 ("The court may, in its discretion, exclude the public from the hearing on this issue.")]; and  
proceedings to terminate parental rights [Family Code §7884 ("Unless requested by the child

1 concerning whom the petition has been filed and any parent or guardian present, the public  
2 shall not be admitted to a proceeding under this part.”)].

3 In addition, many other proceedings which involve the determination of the custody of  
4 children in dissolution actions also are confidential. Thus, Family Code §1818 provides, *inter*  
5 *alia*, that with respect to conciliation court proceedings:

6 “(a) All superior court hearings or conferences in proceedings under this  
7 part shall be held in private and the court shall exclude all persons except the  
8 officers of the court, the parties, their counsel, and witnesses. The court shall  
9 not allow ex parte communications, except as authorized by Section 216. All  
10 communications, verbal or written, from parties to the judge, commissioner, or  
11 counselor in a proceeding under this part shall be deemed to be official  
12 information within the meaning of Section 1040 of the Evidence Code.

13 (b) The files of the family conciliation court shall be closed. The petition,  
14 supporting affidavit, conciliation agreement, and any court order made in the matter  
15 may be opened to inspection by a party or the party's counsel upon the written  
16 authority of the judge of the family conciliation court.” (Emphasis added.)  
17

18 Therefore, had the parties reached their custody agreement in conciliation court, then  
19 under Section 1818, this Court's order implementing that agreement automatically would be  
20 confidential. Similarly, mediated custody proceedings conducted under Family Code §3175 *et*  
21 *seq.* also are required to “be held in private and shall be confidential.” [Family Code §3177;  
22 *see also* Family Code §3188.]

23 It would turn logic on its head to conclude that although if the parties had reached their  
24 custody agreement either in conciliation court or mediation, its terms would be confidential,  
25 because they resolved that same issue in another fashion then those terms automatically should  
26 be available to the tabloid press.

27 Numerous other Family Code provisions also expressly preserve the confidentiality of  
28 custody-related matters. For example, where the Court orders psychological evaluations of the  
children done in a custody proceeding, Family Code §3025.5 then provides that the  
information contained therein “shall be contained in a document that shall be placed in the  
confidential portion of the Court file of the proceeding.” And, whenever the Court orders a  
child custody evaluation done, as is often the case in a contested custody proceeding, Family  
Code §3111 provides that the evaluation shall be contained in a “written confidential report”

1 which “shall not be made available” except to the parties, their counsel and counsel for the  
2 child, with very narrowly prescribed exceptions. (Emphasis added.)

3 Consistent with those statutory requirements of confidentiality -- all of which, of  
4 course, are designed to protect the “best interests” of the minor children -- trial courts regularly  
5 close contested custody proceedings to the public, as expressly authorized by Family  
6 Code §214, which provides that a trial court can conduct family law proceedings in private  
7 whenever, in its discretion, it “considers it necessary and in the interests of justice and the  
8 persons involved” to do so. [*Id.*; see 2 Witkin California Procedure (4th ed. 2007), Courts §38  
9 (“The rule requiring public trials in civil cases is, by statute, limited in family law proceedings  
10 . . . The court in its discretion may exclude the public from hearings in which the custody of a  
11 minor is at issue.”)] Furthermore, whenever the trial court closes a portion of a family law  
12 proceeding to the public, then the pleadings, transcripts, exhibits and rulings of the Court in  
13 that closed proceeding also are confidential. [*Marriage of Lechowick* (1998) 65 Cal.App.4th  
14 1406, 1413.]

15 That fundamental difference between custody proceedings and what the cases relied  
16 upon by Intervenor repeatedly refer to as “ordinary” civil actions: [*e.g.*, *NBC Subsidiary*  
17 (*KNBC-TV, Inc. v. Superior Court* (1999) 20 Cal.4th 1178, 1212-13] renders Intervenor’s  
18 position herein wholly without merit. As discussed in detail above, numerous provisions of  
19 the Family Code and other statutes either mandate the confidentiality of proceedings where the  
20 custody of minors is at issue or provide a trial court with broad discretion to close such  
21 proceedings to the public and seal the related pleadings. In *NBC Subsidiary, supra*, the  
22 Supreme Court itself emphasized that distinction -- and made it clear that its ruling was not  
23 intended to apply to such proceedings:

24 “We observe that various statutes set out, for example, in the Code of Civil  
25 Procedure, Family Code, and Welfare and Institutions Code provide for  
26 closure of certain civil proceedings. We address herein the right of access to  
27 ordinary civil proceedings in general, and not any right of access to particular  
28 proceedings governed by specific statutes.” [*Id.* at 1212, fn 30 (emphasis  
added).]

Indeed, one of the primary underlying bases for the decision in *NBC Subsidiary* was

1 Code of Civil Procedure §124, which the Court noted still “reads in substance as it did when  
2 enacted in 1872,” and which provides that:

3 “Except as provided in Section 214 of the Family Code or any other  
4 provision of law, the sittings of every court shall be public.” [Id. at 1191  
(emphasis added).]

5 Based upon its thorough review of numerous federal and California cases which had  
6 addressed the issue of the right of public access to “ordinary” civil proceedings, the Supreme  
7 Court then went on to construe Section 124 “in a fashion that avoids rendering its application  
8 unconstitutional” by holding that “substantive courtroom proceedings in ordinary civil cases  
9 are ‘presumptively open.’” [Id. at 1216-17 (emphasis added).]

10 Manifestly, since Code of Civil Procedure §124 expressly excludes family law  
11 proceedings from its “presumption of openness,” and since the Supreme Court in NBC  
12 Subsidiary emphasized that its holding was not intended to be applicable to proceedings whose  
13 confidentiality is governed by specific statutes, Intervenor’s heavy reliance upon that opinion  
14 is misplaced.<sup>2</sup>

15 **B. No Reported California Decision Has Held That Child Custody**  
16 **Issues Are Subject to the Presumption of Openness Established by**  
**NBC Subsidiary for Ordinary Civil Actions.**

17 Simply stated, Intervenor’s argument that courts “consistently” have rejected the  
18 argument that family law proceedings involving custody issues are not subject to the  
19 “presumption of openness” established by NBC Subsidiary for ordinary civil actions  
20 (Intervenor’s Brief, p. 5) is wholly inaccurate. Not only did the Supreme Court in NBC

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21 <sup>2</sup>The Court then proceeded to enunciate the two things which must occur before any portion of the  
22 proceedings in such ‘ordinary civil cases’ can be closed to the public: (a) First, the trial court must provide  
23 notice to the public of the contemplated closure. The Court concluded that when a motion seeking closure is  
24 made in writing, adequate notice is provided by publicly docketing the motion reasonably in advance of a  
25 determination thereon. [Id. at 1217.]; (b) Second, the trial court must conclude, after a hearing, that “(i)  
26 there exists an overriding interest supporting closure and/or sealing; (ii) there is a substantial probability that  
the interest will be prejudiced absent closure and/or sealing; (iii) the proposed closure and/or sealing is  
narrowly tailored to serve the overriding interest; and (iv) there is no less restrictive means of achieving the  
overriding interest.” [Id. at 1217-18.]

27 While, in view of the Supreme Court’s own expressed limitations on the scope of its ruling in NBC  
Subsidiary, Petitioner does not believe that it is necessary for this Court to find that all four of those factors  
28 are present before it can order the Second Further Judgment herein sealed, since California Rule of Court  
2.550 has, in effect, adopted those four factors as a prerequisite to sealing a pleading under that Rule, we  
will demonstrate *infra*, that the requested sealing does, in fact, comply with all such requirements.

1 Subsidiary expressly exclude from that “presumption of openness” proceedings which are  
2 subject to statutory provisions authorizing closure and/or sealing, but none of the three cases  
3 cited by Intervenor even involved the issue of closure and/or sealing in a custody proceeding.

4 In the first case cited by Intervenor, In re Shortridge (1893) 99 Cal. 526, the Supreme  
5 Court issued a writ annulling the contempt conviction of a newspaper publisher who had  
6 published a story containing a summary of the preceding day’s testimony in a divorce trial  
7 which had been closed to the public. There is not a word in that opinion which indicates that  
8 any of such testimony involved custody issues.

9 The second case cited by Intervenor, Marriage of Lechowick (1998) 65 Cal.App. 4th  
10 1406, involved an effort by a journalist to obtain a court file which had been ordered sealed in  
11 a dissolution proceeding in which one of the parties was a judge in the county in which the  
12 matter was pending. The journalist also sought to obtain access to future proceedings in the  
13 case. [Id. at 1409-10.] On June 3, 1996, a custody-related hearing had been held in the case,  
14 and court-appointed counsel for the minor children had moved the court to seal the records of  
15 that proceeding as well as the court files related thereto. That day’s proceedings had involved  
16 testimony which the court found “implicated custody and visitation of (the parties’) minor  
17 children.” [Id. at 1409.] The trial court not only sealed the records as to those proceedings, but  
18 also ordered all future proceedings closed and the entire file sealed. [Id.]

19 More than one year later, another hearing was scheduled on what were “substantially  
20 financial” issues. [Id.] The morning of that hearing, the journalist requested that it and the  
21 files be open to the public. Based upon the prior order, the trial court denied his application.  
22 The Court of Appeal subsequently issued a writ overturning the trial court’s blanket closure  
23 and sealing, and remanded the matter to the trial court to determine to what extent, if any, the  
24 case files should be unsealed and future hearings should be open to the public. [Id. at 1414-  
25 16.] There is no indication anywhere in that opinion that the journalist sought access to any of  
26 the transcripts, exhibits or files relating to the June 3, 1996 custody-related hearing.

27 Finally, Intervenor totally mischaracterize both the issues before the Court and the  
28 holding in Burkle v. Burkle (2006) 135 Cal.App. 4<sup>th</sup> 1045. The only issue before the Court of

1 Appeal was the constitutionality of Family Code §2024.6, which required trial courts, upon the  
2 request of a party, to seal any pleading which listed, provided the location of, or provided  
3 identifying information about the “financial assets and liabilities of the parties.” [*Id.* at 1048.]<sup>3</sup>

4 The trial court had concluded that although Section 2024.6 was designed to serve a  
5 “compelling state interest” -- the financial privacy of parties to a dissolution proceeding -- the  
6 statute was unconstitutionally overbroad in that it required the trial court to seal an entire  
7 pleading even if only a “small portion” of that pleading contained private financial  
8 information. [*Id.* at 1051.] The Court of Appeal affirmed.

9 Thus, Burkle v. Burkle did *not* even remotely involve the issue of whether a trial court  
10 can seal custody-related pleadings; to the contrary, it *solely* involved the issue of the  
11 mandatory sealing of pleadings containing private financial information.

12 Moreover, as the Court of Appeal noted in its opinion, on April 13, 2004, prior to the  
13 enactment of Section 2024.6, the same trial judge had granted, in part, the husband’s motion  
14 (made under the predecessor of Rule 2.550) to seal or redact various pleadings which  
15 contained photographs of the parties’ minor child, the name and address of the private school  
16 which he attended, the addresses of residences owned by the parties and certain private  
17 financial information. The Court of Appeal stated that the trial court had ordered those files  
18 sealed or redacted “based solely upon the potential impact...such information may have on (the  
19 minor child’s) safety.” [*Id.* at 1049.] The Court of Appeal let that order stand.<sup>4</sup>

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21 <sup>3</sup>Intervenors also assert that in Burkle, the husband “sought to seal nearly all of the records of his  
22 divorce proceeding” pursuant to Section 2024.6. In fact, as the Court of Appeal expressly noted, the  
23 husband only sought to have 28 of the more than one hundred pleadings which had been filed in that case  
24 sealed. [*Id.* at 1049-50.] This material misstatement of the facts is particularly striking in view of the fact  
that counsel for Intervenors herein also represented the (different) intervenors in that case, and, therefore,  
certainly should be able to accurately recite the underlying facts in Burkle.

25 <sup>4</sup>The Court noted that after the trial court’s April 13, 2004 order, the parties’ counsel had agreed  
26 upon a procedure to redact the court files consistent with that order, but such procedure was deferred  
because each of the pleadings which would have been subject to such redacting was included in the  
husband’s Section 2024.6 application. [*Id.* at 1050, fn 3.]

27 Subsequently, in June 2006, the Court of Appeal, which initially had sealed the records in the main  
28 appeal pending its ruling on Section 2024.6, issued an order unsealing those records, but only after first  
redacting from those records all of the information which the trial court had ordered sealed under former  
Rule 243.1 in its April 13, 2004 order. (Declaration of Michael Brouman, ¶4.)

1           Accordingly, to the extent that Burkle has any limited relevance to the issue of whether  
2 a court can close hearings and seal files pertaining to custody-related issues, it stands for the  
3 proposition that the trial court properly may seal such files based solely upon their potential  
4 impact upon the safety and well-being of the minor children. And, that is precisely what this  
5 joint application seeks to do.

6           Not only does Burkle actually support the parties' joint application to seal the Second  
7 Further Judgment herein, but so does another California case conspicuously absent from  
8 Intervenors' discussion of the purported (and, in truth, non-existent) "consistent" rejection of  
9 efforts to treat custody-related proceedings differently from "ordinary civil proceedings" for  
10 purposes of closure and/or sealing. In Whitney v. Whitney (1958) 164 Cal.App.2d 577, the  
11 Court of Appeal held that the trial court had not abused its discretion under former Code of  
12 Civil Procedure §125 (the predecessor of Family Code §214) by excluding the public from a  
13 hearing involving a request for modification of child and spousal support. The Court declared  
14 that:

15                     "The court's exclusion of the public in this case was well within the  
16                     purview of that section. It was done for the good of the child, a purpose  
                      that would not be best subserved by further discussion." [Id. at 582.]

17           Thus, Petitioner submits, it is clear that under California law, this Court has broad  
18 discretion under Section 214 to close custody-related proceedings and also to seal the files  
19 relating to such issues, either because they involve such closed proceedings or under Rule  
20 2.550. And, that is all that his joint application requests that this Court do: Seal the Second  
21 Further Judgment, which solely involves the custody and support of the parties' minor  
22 children, because such sealing would be in the "best interests" of those two young children.

23           **C.   The Joint Application Meets All Of The Requirements For Sealing**  
24           **Under Rule 2.550.**

25           In accordance with Rule 2.550, this Court is authorized to order a record filed under  
26 seal if it expressly finds:

- 27                     (1)   There exists an overriding interest that overcomes the right  
28                     of the public access to the records;



- 1 (2) The overriding interest supports sealing the records;
- 2 (3) A substantial probability exists that the overriding interest
- 3 will be prejudiced if the record is not sealed;
- 4 (4) The proposed sealing is narrowly tailored; and
- 5 (5) No less restrictive means exist to achieve the overriding interest.
- 6 [California Rule of Court 2.550.]

7 Petitioner submits that it is clear that this joint application meets all of those tests:

8 First, as this Court has consistently recognized throughout this proceeding, one of the  
9 most important, if not the most important, responsibilities of Family Law Judicial Officers is  
10 to protect the "best interests" of minor children. [*E.g.*, Family Code §3011.] All of the  
11 numerous statutes, cited *supra*, which protect the confidentiality of custody-related  
12 proceedings and records, are designed to promote that goal. Those statutes apply in all cases,  
13 but the principles underlying them are particularly appropriate herein.

14 These two young children are not public figures. They have done nothing to subject  
15 themselves to the intense media scrutiny which has existed throughout this proceeding,  
16 particularly from the tabloid press represented by the Intervenors. This Court has an  
17 obligation under Section 3011 to attempt to promote the "health, safety and welfare" of the  
18 minor children.

19 In Burkle, *supra*, both the trial court and the Court of Appeal concluded that protecting  
20 the potential safety of the minor child by maintaining the confidentiality of the locations of the  
21 residences at which he could be found and the name and location of the school which he  
22 attended was an overriding interest which justified sealing or redacting any pleadings  
23 containing such information.

24 The same conclusion is compelled herein -- where the custodial parents are considered  
25 much more newsworthy by the tabloid press than were the parties in Burkle, and where this  
26 case already has generated a veritable torrent of publicity and paparazzi. That overriding  
27 interest of promoting the minor children's "health, safety and welfare" clearly supports sealing  
28 the Second Further Judgment. Furthermore, the tabloid news media's already-established

1 feeding frenzy over this case clearly compels the conclusion that there is a substantial  
2 probability that such overriding interest will be prejudiced if that document is not sealed.

3 Moreover, contrary to Intervenor's assertions, the proposed sealing is narrowly  
4 tailored; indeed, it could not be more narrowly tailored. The parties deliberately prepared a  
5 separate document, the Second Further Judgment, which deals solely with child custody and  
6 support. All other provisions of the parties' marital settlement are contained in other  
7 documents, none of which the parties have requested that this Court seal.

8 Furthermore, NBC Subsidiary, 20 Cal.4th *supra*, expressly holds that the party  
9 *opposing* closure and/or sealing bears the burden of establishing that a less restrictive  
10 alternative is available which would achieve the overriding interest. [*Id.* at 1218, fn. 40.]  
11 Herein, although Intervenor's argue that the proposed sealing is too broad, they have failed to  
12 meet their burden of demonstrating that a less restrictive alternative is available. In fact, they  
13 fail to even identify what less restrictive alternative they believe would achieve the overriding  
14 interest of preserving the health, safety and welfare of these two young children. Manifestly,  
15 in view of the fact that the Second Further Judgment contains no other provisions, there simply  
16 is no less restrictive alternative to the proposed sealing.

17 Accordingly, all of the requirements enunciated by Rule 2.550 clearly are met by this  
18 joint application.

19 **III.**

20 **CONCLUSION**

21 For all of the foregoing reasons, as well as the reasons set forth in the moving papers,  
22 this joint application should be granted and the Second Further Judgment should be sealed  
23 under Rule 2.550.

24 Dated: August 31, 2007

Respectfully submitted,

25 WASSER, COOPERMAN & CARTER, P.C.

26  
27 By: Michael Brouman  
28 MICHAEL BROURMAN  
Attorneys for Petitioner

08/11/20

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1 his April 13, 2004 order under Rule 243.1, the predecessor of current California Rule of  
2 Court 2.550. Furthermore, when the record of the dissolution action was transmitted to the  
3 Court of Appeal in connection with Janet Burkle's appeal from the order affirming the  
4 ruling of the Honorable Stephen Lachs, Retired, Judge Pro Tem, that the parties'  
5 Postnuptial Agreement was valid and fully enforceable, the Court of Appeal initially  
6 ordered that record sealed pending its ruling on the constitutionality of Section 2024.6.  
7 Subsequently, the Court of Appeal ordered that record unsealed, with the exception of the  
8 portions of that record which Judge Paul had ordered sealed or redacted in his April 13,  
9 2004 order. A conformed copy of the Court of Appeal's June 21, 2006 order to that effect  
10 is attached as Exhibit "A" hereto and incorporated herein by this reference. Certain  
11 documents ordered sealed or redacted in the trial court's April 13, 2004 order were not  
12 included in the record on that appeal, such as documents which identified the name and  
13 location of the minor child's private school and some of the photographs bearing images of  
14 the minor child. Therefore, those documents are not identified in the Court of Appeal's  
15 June 21, 2006 Order. All documents ordered sealed or redacted by Judge Paul's April 13,  
16 2004 order (including those not in the record transmitted to the Court of Appeal) were, in  
17 fact, sealed or redacted in the Superior Court file. I, jointly with Hugh John Gibson, Esq.,  
18 one of the attorneys for Janet Burkle, supervised such sealing or redacting of the Superior  
19 Court file.

20 I declare under penalty of perjury under the laws of the State of California that the  
21 foregoing is true and correct.

22 Executed this 31<sup>st</sup> day of August 2007, at Los Angeles, California.

23  
24   
25 MICHAEL BROURMAN  
26  
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28

EXHIBIT

A

06/11/20

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT COURT OF APPEAL - SECOND DIST.

DIVISION EIGHT

**F I L E D**

JUN 21 2006

In re Marriage of JANET E. and  
RONALD W. BURKLE.

JANET E. BURKLE,

Appellant,

v.

RONALD W. BURKLE,

Respondent.

B179751

JOSEPH A. LANE Clerk

C. HON

Deputy Clerk

(Los Angeles County  
Super. Ct. No. BD390479)

ORDER GRANTING IN PART  
RESPONDENT'S REQUEST TO  
REDACT PORTIONS OF  
THE RECORD

THE COURT:

On May 18, 2006, this court ordered the unsealing of all documents and briefs in the appellate record of the above captioned case, all of which had been sealed solely under the authority of Family Code section 2024.6. Family Code section 2024.6 was declared unconstitutional in *Burkle v. Burkle* (2006) 135 Cal.App.4th 1045, and review of that decision was denied by the Supreme Court on May 17, 2006.

Before unsealing the appellate record, this court gave the parties an opportunity to advise the court whether good cause existed for the continued sealing of any part of the record, directing the attention of the parties to rule 243.1 of the California Rules of Court. Respondent Ronald W. Burkle urged continued sealing of "many documents," including ten volumes of trial transcript and many trial exhibits, but failed to identify with

particularity any document or page or portion of any document or page that should remain sealed.

On May 23, 2006, respondent filed a letter requesting the re-sealing of certain items in the appellate record, this time identifying the items to be redacted. The requested redactions are based in part upon an April 2004 ruling of the trial court, which permitted redaction of certain information on the ground disclosure might endanger the parties' minor son. The trial court's order permitted redaction of, *inter alia*, photographs of the parties' minor son, the name of his school, the addresses of residences where he lives, and the name and account numbers for all bank and brokerage accounts.

No objection has been interposed by any other party to respondent's request for redaction. Accordingly, this court adopts the findings made by the trial court pursuant to rule 243.1, as articulated in the trial court's order of April 13, 2004, and grants in part respondent's request for redaction of items identified in respondent's May 23, 2006 request, to the extent those items fall within the categories identified by the trial court. Specifically:

(1) Respondent's request for redaction of the following items is granted (AA refers to Appellant's Appendix. RT refers to the Reporter's Transcript, further identified by date, page and line):

AA 827:	Account names and numbers
AA 828:	Addresses of real estate
AA 834:	Addresses of real estate
AA 835:	Addresses of real estate
AA 836:	Street name
AA 890:	Account names and numbers
AA 891:	Addresses of real estate
AA 901:	Residence address
AA 914:	Residence address
AA 915:	Checking account number
AA 954:	Credit card account numbers
AA 1080:	Account names and numbers
AA 1081:	Addresses of real estate
AA 1087:	Addresses of real estate
AA 1088:	Address of real estate



AA 1818: Family photo  
AA 1892: Family photos  
AA 1922: Family photo

RT 3/23/04, 21:8: Street name  
RT 3/23/04, 68:15: Street name  
RT 3/23/04, 93:4: Street name  
RT 3/23/04, 94:4: Street name  
RT 3/23/04, 117:10: Street name  
RT 3/24/04, 60:16: Address  
60:20-21: Town or street name  
RT 3/24/04, 66:9: Town or street name  
66:21: Street name  
RT 3/24/04, 67:2 & 5: Street names  
67:8: Town or street name  
67:12: Street name  
RT 3/24/04, 70:5, 7 & 12: Town or street name  
RT 3/24/04, 76:25: Street name  
RT 3/24/04, 128:9 & 11: Street name  
RT 3/24/04, 132:22 & 24: Town or street name  
RT 3/24/04, 133:1, 3, 6, 9, 11: Town or street name  
RT 3/24/04, 134:7, 12, 15-16: Town or street name  
RT 3/24/04, 144:2: Street name  
RT 3/24/04, 145:16: Street name  
RT 3/24/04, 149:6: Street name  
RT 3/24/04, 150:6: Street name  
RT 3/24/04, 151:3-4: Street name  
RT 3/24/04, 163:12: Street name  
RT 3/24/04, 164:8, 9, 21: Street name; recording number on quitclaim deed  
RT 3/24/04, 166:13, 16-17, 24: Street name; document number for quitclaim deed  
RT 3/24/04, 168:11-12: Residence address  
168:23: Town or street name  
RT 3/24/04, 170:13, 13-14: Document number and county name  
170:18: Town or street name  
RT 3/28/04, 77:10, 11: Street name  
RT 3/28/04, 116:10: Street name  
RT 3/28/04, 140:2, 13: Street name  
RT 3/28/04, 148:22: Street name  
RT 3/28/04, 149:2, 10: Street name  
RT 3/28/04, 150:10, 15, 25: Street name  
RT 3/28/04, 151:3: Street name  
RT 3/28/04, 162:23: Address  
RT 3/28/04, 163:14: Street name

RT 3/28/04, 176:10:	Street name
RT 3/28/04, 177:22:	Street name
RT 3/28/04, 187:1, 3, 12:	Street name
RT 6/16/04, 50:21:	Street name
RT 6/16/04, 51:5:	Address
RT 6/16/04, 55:23-24:	Street name
RT 6/16/04, 56:1:	Street name
RT 6/16/04, 66:3:	Street name
RT 6/16/04, 143:23:	Town or street name
RT 6/16/04, 146:8:	Street name
146:8-9:	Town or street name
146:12, 19:	Street name
RT 6/16/04, 147:22:	Street name
RT 6/16/04, 164:22, 25:	Street name
RT 6/16/04, 165:2:	Street name
RT 6/17/04, 36:25:	Street name
RT 6/17/04, 38:23, 24:	Street names
RT 6/17/04, 44:9:	Street name
RT 6/17/04, 79:5-6:	Street name
RT 6/17/04, 104:6, 8:	Street names
RT 6/17/04, 129:17, 25:	Street names
RT 6/17/04, 131:4:	Street name
RT 6/17/04, 145:25:	Street name
RT 6/17/04, 161:9, 10, 20, 21:	Street name
RT 6/17/04, 162:4, 16, & 23:	Street name
162:19, 20, 21 & 24:	Town or street name
RT 6/17/04, 163:6, 7, 19, 23:	Street name
RT 6/17/04, 166:4:	Street name
RT 6/17/04, 172:16:	Town or street name
RT 6/17/04, 173:5:	Account name
RT 6/17/04, 176:10, 23, 25:	Street names
RT 6/17/04, 187:22:	Street name
RT 6/18/04, 34:15:	Account name
RT 6/18/04, 81:9, 11, 12, 13, 16, 19:	Street name
RT 6/18/04, 90:12, 25:	Name of school; street name
RT 6/18/04, 97:13:	Street name
RT 6/18/04, 98:5:	Account name
RT 6/18/04, 108:13:	Street name
RT 6/18/04, 111:2:	Street name
RT 6/18/04, 112:14, 15:	Account number and name
RT 6/18/04, 121:6:	Street name
RT 6/18/04, 157:2-3, 5:	Street names
RT 6/29/04, 42:10, 23:	Street name

RT 6/29/04, 43:19:	Street name
RT 6/29/04, 46:1:	Street name
RT 6/29/04, 47:25:	Street name
RT 6/29/04, 51:2-3:	Street name
RT 6/29/04, 62:1:	Street name
RT 6/29/04, 63:8, 22:	Street name
RT 6/29/04, 70:20:	Street name
RT 6/29/04, 80:25:	Street name
RT 6/29/04, 95:21-22:	Street name
RT 6/29/04, 98:2-3:	Street name
RT 6/29/04, 107:13-14:	Street name
RT 6/29/04, 131:7-8:	Street name
RT 6/29/04, 134:15, 20:	Street name
RT 6/29/04, 135:13:	Street name
RT 6/29/04, 159:25:	Street name
RT 6/29/04, 160:5:	Street name
RT 6/29/04, 169:19:	Street name
RT 6/29/04, 170:15:	Street name
RT 6/29/04, 171:14:	Street name
RT 6/29/04, 174:12:	Street name
RT 6/30/04, 108:3:	Street name
RT 7/6/04, 49:8:	Street name
RT 7/6/04, 82:16:	Street name
RT 7/6/04, 83:19:	Street name
RT 7/6/04, 94:21:	Street name
RT 7/6/04, 96:5:	Town or street name
RT 7/6/04, 127:16:	Street name
RT 7/6/04, 148:3:	Street name
RT 7/6/04, 157:1, 4:	Street name
RT 7/6/04, 176:8, 16:	Street name
RT 7/6/04, 194:23:	Street name
RT 7/6/04, 201:18-19, 21, 23:	Street name

(2) Respondent's request for redaction of the following items, consisting of the names of cities in which the Burkles own or owned real estate, is denied:

RT 3/23/04, 93:1, 2, 6 & 7  
 RT 3/23/04, 117:9 & 13  
 RT 3/24/04, 60:19  
 RT 3/24/04, 66:13 & 20

RT 3/24/04, 67:9, 10 & 11  
RT 3/24/04, 68:7 & 9  
RT 3/24/04, 70:8  
RT 3/24/04, 71:2  
RT 3/24/04, 73:12  
RT 3/24/04, 75:22  
RT 3/24/04, 77:9  
RT 3/24/04, 79:4-5, 14  
RT 3/24/04, 132:15, 17 & 21  
RT 3/24/04, 168:13  
RT 3/28/04, 163:13, 24-25  
RT 3/28/04, 173:11  
RT 3/28/04, 174:13  
RT 3/28/04, 186:9, 9-10  
RT 3/28/04, 187:13-14  
RT 6/16/04, 50:23 & 25  
RT 6/16/04, 146:9 & 13  
RT 6/17/04, 130:13 & 14  
RT 6/17/04, 153:10-11  
RT 6/17/04, 160:12, 15 & 23  
RT 6/17/04, 166:23, 24 & 25  
RT 6/17/04, 167:9  
RT 6/17/04, 172:25  
RT 6/17/04, 174:12 & 13  
RT 6/17/04, 175:14  
RT 6/17/04, 184:7 & 9  
RT 6/18/04, 97:20 & 22  
RT 6/29/04, 12:1-2  
RT 6/29/04, 147:5  
RT 6/29/04, 148:14  
RT 6/29/04, 171:14  
RT 7/6/04, 96:5

(3) In order to effectuate the redactions permitted in numbered paragraph (1), *ante*, the respondent must provide the clerk of the court with complete copies of each volume of the appellant's appendix or reporter's transcript containing redacted information, showing the redactions permitted by paragraph (2) of this order. Upon receipt of the redacted volumes, the clerk of the court will be directed to seal the copies presently in the appellate record and place the redacted versions in the public file.

(4) The respondent is directed to effectuate the redactions permitted by this order no later than two weeks from the date of this order.

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COOPER, P.J.

RUBIN, J.

BOLAND, J.

5/11/96

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